

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LYLE BREHM, on behalf of Willard)
F. Brehm, Gladys M. Brehm, the)
Willard F. Brehm Revocable Trust)
and the Gladys M. Brehm Revocable)
Trust, REX WELDON, on behalf of)
Nancy Weldon, Robert Clark)
Weldon and the Robert Clark Weldon)
and Nancy Weldon Trust, JILL)
SCHUNEMAN, on behalf of herself)
and the Jill Schuneman Living Trust,)
and DAVID BUCKLEY, on behalf of)
himself, the Robert L. Mckissick)
Irrevocable Trust and the Brenda L.)
Buckley Revocable Trust, collectively)
on behalf of themselves and all)
others similarly situated,)

Plaintiffs,)

v.)

CAPITAL GROWTH FINANCIAL, LLC,)
REBECCA ENGLE, BRIAN)
SCHUSTER, ENGLE & SCHUSTER)
FINANCIAL, INC., AMERICAN CAPITAL)
CORPORATION, ROYAL PALM)
CAPITAL GROUP, INC., ALAN JACOBS,)
MICHAEL JACOBS, GERALD PARKER,)
JOHN BOYCE, GERALDINE)
MAGALNICK, PATRICK HARRINGTON,)
PETER KIRSCHNER, and STARK)
WINTER SCHENKEIN & CO., LLP,)

Defendants.)

8:07CV254

ORDER

This matter comes before the Court on Lead Plaintiffs' Motion for Enlargement of Time to File a Consolidated Reply Brief in Support of Lead Plaintiff's Motion for Class Certification (Filing No. 237). The plaintiffs seek additional time to file a reply in support of their motion for class certification (Filing No. 207). Specially, the plaintiffs seek leave to file a consolidated reply ten days after the later of the last response filed on the issue by any

defendant or an adverse ruling on the defendant Stark Winter Schenkein & Co.'s motion to dismiss. Additionally, the plaintiffs seek an order precluding several defendants from responding to the motion for class certification because any such response would be untimely. Upon consideration,

IT IS ORDERED:

1. Lead Plaintiffs' Motion for Enlargement of Time to File a Consolidated Reply Brief in Support of Lead Plaintiff's Motion for Class Certification (Filing No. 237) is granted as set forth herein.

2. The plaintiffs shall have an extension of time until ten business days following either resolution of Stark Winter Schenkein's Motion to Dismiss or its opposition to the motion to certify class, whichever is later, to file a consolidated reply in support of their motion for class certification (Filing No. 207).

3. Any defendant who has not yet filed an opposition to the plaintiffs' motion for class certification may not now do so without first showing good cause for the filing out-of-time and obtaining the court's leave.

DATED this 2nd day of April, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge